

8 JUL 1982

MEMORANDUM FOR: Chief, Legislative Liaison Division, OEA

ATTENTION:

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FROM:

Acting Chief, Logistics Services Division, OL

SUBJECT: Transportation of Agency Employees in
Government-Owned Automotive Equipment

REFERENCE: Ltr dtd June 28, 1982 to DCI fm Senator
Proxmire (ER 82-1702)

The following information is keyed to the questions posed by Senator Proxmire to Director Casey in his letter of June 28, 1982:

1) The only officials of the Central Intelligence Agency who are provided home to work transportation are the DCI and the DDCI.

2) The only officials who are assigned cars for their own exclusive use are the DCI and the DDCI.

3) Section 8 of the CIA Act of 1949, as amended (50 U.S.C.A. 403j), speaks to the question of providing transportation to employees (copy attached). It states:

(a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including--

(1) . . . transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment, where such personnel are engaged in work which makes such transportation necessary

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The Agency's implementing regulation
states:

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Home-to-work use of vehicles is authorized only for medical officers engaged in outpatient medical service or when the Deputy Director for Administration or his designees determine that official duties of personnel warrant such use.

4) The basic annual salary of the chauffeurs for the DCI and the DDCI is \$20,009.60. During the past year, overtime wages in the amount of \$26,616.00 were paid to the DCI's driver and \$17,833.00 to the DDCI's driver.

5) The average annual cost of the DCI's vehicle in terms of depreciation, maintenance, gas, oil, etc. is \$6,200.00 and \$5,200.00 for the DDCI's vehicle.

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Attachment

50 U.S.C.A. 403g. [§6 of CIA Act]. Protection of Nature of Agency's Functions

In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 403(d)(3) of this title that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of section 654 of Title 5 [now repealed], and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 947(b) of Title 5 [now repealed].

50 U.S.C.A. 403h. [§7 of CIA Act]. Admission of Essential Aliens; Limitation on Number

Whenever the Director, the Attorney General, and the Commissioner of Immigration shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws¹¹ and regulations,¹² or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed one hundred persons in any one fiscal year.

50 U.S.C.A. 403j. [§8 of CIA Act]. Appropriations; Expenditures

(a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation¹³ or otherwise may be expended for purposes necessary to carry out its functions, including —

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by section 150 [now section 7901] of Title 5; rental of news-reporting services; purchase or rental and operation and of photographic,

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reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment where such personnel are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of section 14 of Title 6 ¹⁶ [now repealed]; payment of claims pursuant to Title 28; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to sections 259 [now repealed] and 267 [now repealed] of Title 40; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director ¹⁷ and every such certificate shall be deemed a sufficient voucher for the amount therein certified.¹⁸

Separability of Provisions

[Section 9 of CIA Act]. If any provision of this Act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or

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